

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----  
SHOLOM KELLER,

Plaintiff,

v.

CHEMBIO DIAGNOSTICS, INC.,  
KATHERINE L. DAVIS, JOHN G.  
POTTHOFF, DAVID W.K. ACHESON,  
DAVID W. BESPALKO, RICHARD L.  
EBERLY, LESLIE TESO-LICHTMAN, and  
LAWRENCE J. STEENVOORDEN.

Defendants.

Case No. 23-cv-01388-PAC

**NOTICE OF VOLUNTARY  
DISMISSAL UNDER RULE  
41(a)(1)(A)(i)**

Notice is hereby given that pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff voluntarily dismisses the above-titled action without prejudice. This notice of dismissal is being filed with the Court before service by Defendants of either an answer or a motion for summary judgment.

Dated: May 18, 2023

**WOHL & FRUCHTER LLP**

By: /s/ Joshua E. Fruchter  
Joshua E. Fruchter (JF2970)  
25 Robert Pitt Drive, Suite 209G  
Monsey, NY 10952  
Tel: (845) 290-6818  
Fax: (718) 504-3773  
Email: jfruchter@wohlfruchter.com

*Attorneys for Plaintiff*